

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

A.M.Q.A., et al.,

Plaintiffs,

v.

MONICA B. LUGO, et al.,

Defendants.

Case No. 1:20-cv-01556-JLT-EPG

ORDER RE: JOINT PROPOSED SCHEDULE  
FOR PLAINTIFFS' MOTION FOR LEAVE  
TO FILE SECOND AMENDED COMPLAINT

(ECF No. 54)

SEVEN (7) DAY DEADLINE

Before the Court is the parties' joint proposed briefing schedule for Plaintiffs' motion for leave to file a Second Amended Complaint. (ECF No. 54.) According to the parties' joint report, "the Court ordered Parties to file a Joint Proposed Scheduled [sic] on Plaintiffs' Motion for Leave to File Second Amended Complaint." (ECF No. 54.) The parties submit a briefing schedule for the proposed motion, including an opposition deadline of July 15, 2022, a reply deadline of August 5, 2022, and a hearing on August 12, 2022. (*Id.*)

The proposed dates do not include "a schedule for proceeding with this case" as previously ordered. (ECF Nos. 45, 50.) The Court cannot determine if the parties are in agreement to wait for further scheduling until the motion for leave to amend has been decided. If they are not in agreement, the Court requests the position of the parties to determine whether the case can proceed while the motion to amend has been determined or not.

1 Accordingly, the Court will direct the parties to file either a proposed schedule for this  
2 case or a joint statement that all parties agree to wait on further scheduling until the motion to  
3 amend has been resolved.

4 Additionally, if the parties file a statement indicating that they agree to defer scheduling  
5 until after the motion to amend has been resolved, they shall including a showing as to why the  
6 deadlines set forth in Local Rule 230 are insufficient and whether there is good cause for  
7 extending the briefing deadlines for the motion to amend.

8 In light of the foregoing, IT IS HEREBY ORDERED that, within **seven (7) days** of entry  
9 of this order, the parties shall file either: 1) a proposed schedule for this case; or 2) a joint  
10 statement that all parties agree to wait on further scheduling until the motion to amend has been  
11 resolved. If the parties agree to wait on further scheduling, they shall also include a statement as  
12 to why the deadlines set forth in Local Rule 230 are insufficient for the briefing on the motion to  
13 amend.

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15 IT IS SO ORDERED.

16 Dated: **June 13, 2022**

/s/ Eric P. Grogan  
17 UNITED STATES MAGISTRATE JUDGE  
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